



**S. C. DEPARTMENT OF
MOTOR VEHICLES**

OFFICE OF GENERAL COUNSEL

P.O. Box 1498, Blythewood, S.C. 29016: (803) 896-9900, Fax : (803) 896-9901

February 1, 2022

Roncar Transportation, Inc.
14761 Sodom Road
Stevensville, Ontario L0S1S0

Re: *Icee Deasia Brown v. Ronald J. Verbraeken and Roncar Transportation, Inc.*
Case No.: 2021-CP-45-00457, DMV 22-47

Dear Sir/Madam:

In accordance with the provisions of Section 15-9-350 or 15-9-360 of the Code of Laws of South Carolina (1976), this office has received the enclosed **Summons and Complaint** in the above-referenced action. Under South Carolina law, this has the same legal effect as if you had been served with these documents personally.

Section 15-9-350 of the 1976 Code of Laws of South Carolina, as amended, provides that:

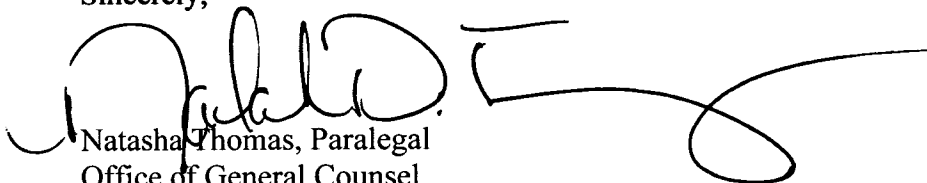
“The acceptance by a nonresident of the rights and privileges conferred by the laws in force in this State permitting the operation of motor vehicles, as evidenced by the operation of a motor vehicle by such nonresident on the public highways, the streets of any incorporated municipality or the public roads of this State or anywhere within this State, or the operation by such nonresident of a motor vehicle on any such public highways, streets, or public roads or anywhere within this State other than as so permitted or regulated shall be deemed equivalent to the appointment by such nonresident of the Director of the Department of Motor Vehicles or of his successor in office to be his true and lawful attorney upon whom may be served all summons or other lawful process in any action or proceeding against him growing out of any accident or collision in which such nonresident may be involved by reason of the operation by him, for him or under his control or direction, express or implied, of a motor vehicle on such public highways, Streets, or public roads or anywhere within this State. Such acceptance or operation shall be a signification of his agreement that any such process against him shall be of the same legal force and validity as if served on him personally.”

Section 15-9-360 of the 1976 Code of Laws of South Carolina, as amended, provides that:

“The acceptance by a nonresident motor carrier of the rights and privileges conferred by the laws now or hereafter in force in this State, permitting the operation of motor vehicles as evidenced by the operation of a motor vehicle by such nonresident either personally or through an agent or employee on the public highways in this State, or the operation of such nonresident either personally or through an agent, lessee, or employee, of a motor vehicle on the public highways

of this State other than as so permitted or regulated, shall be deemed equivalent to the appointment by such nonresident motor carrier of the Director of the Department of Motor Vehicles, or his successor in office, to be his true and lawful attorney and the attorney of his executor or administrator, upon whom may be served all summonses or other lawful process or notice in any action, assessment proceeding, or other proceeding against him or his executor or administrator, arising out of or by reason of any provisions in Chapter 31 of Title 12 relating to such vehicle or relating to the liability for tax with respect to operation of such vehicle on the highways of this State. Acceptance or operation shall be a signification by such nonresident motor carrier of his agreement that any such process against or notice to him or his executor or administrator shall be of the same legal force and validity as if served on him personally or on his executor or administrator. All of the provisions of Sections 15-9-370, 15-9-380, and 15-9-350 shall be applicable with respect to the service of process or notice pursuant to this section."

Sincerely,



Natasha Thomas, Paralegal
Office of General Counsel
For: Director, South Carolina Department of Motor Vehicles

Enclosure

cc: Charles David Barr, Esquire
319 West Main Street
P.O. Box 83
Kingstree, SC 29556

STATE OF SOUTH CAROLINA)
)
COUNTY OF WILLIAMSBURG)
)
)
ICEE DEASIA BROWN,)
)
Plaintiff,)
)
vs.)
)
RONALD J. VERBRAEKEN)
AND RONCAR)
TRANSPORTATION, INC.)
)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS
THIRD JUDICIAL CIRCUIT
CIVIL ACTION NO.:

SUMMONS
(JURY TRIAL REQUESTED)

TO THE DEFENDANTS ABOVE NAMED.

YOU ARE HEREBY SUMMONED AND REQUIRED TO ANSWER THE COMPLAINT IN THIS ACTION, OF WHICH A COPY IS HEREWITH SERVED UPON YOU, AND TO SERVE A COPY OF YOUR ANSWER ON THE SUBSCRIBER AT HIS OFFICE AT 319 WEST MAIN STREET, KINGSTREE, SOUTH CAROLINA, WITHIN THIRTY (30) DAYS AFTER THE SERVICE HEREOF, EXCLUSIVE OF THE DAY OF SUCH SERVICE, AND IF YOU FAIL TO ANSWER THE COMPLAINT WITHIN THE TIME AFORESAID, THE PLAINTIFF WILL APPLY TO THE COURT FOR RELIEF DEMANDED IN THE COMPLAINT.

Kingstree, South Carolina

December 29, 2021

s/Charles David Barr, Esquire

Charles David Barr, Esquire, S.C. Bar No.: 543

Law Office of Charles David Barr

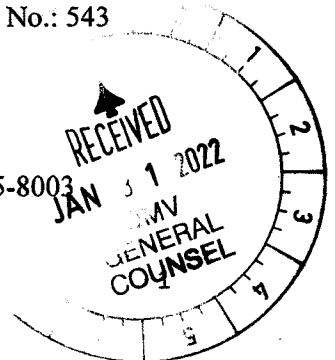
Attorney for the Plaintiff

319 West Main Street*P.O. Box 83

Kingstree, South Carolina 29556

Phone: (843) 355-8000 Fax: (843) 355-8003

Email: barrandbarr@ftc-i.net



STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	THIRD JUDICIAL CIRCUIT
COUNTY OF WILLIAMSBURG)	CIVIL ACTION NO.:
)	
ICEE DEASIA BROWN,)	
)	
Plaintiff,)	COMPLAINT
)	(JURY TRIAL REQUESTED)
vs.)	
)	
RONALD J. VERBRAEKEN)	
AND RONCAR)	
TRANSPORTATION, INC.)	
)	
Defendants.)	
_____)	

The Plaintiff, **ICEE DEASIA BROWN**, complaining of the Defendants, **RONALD J. VERBRAEKEN** and **RONCAR TRANSPORTATION, INC.**, herein, respectfully alleges as follows:

1. The Plaintiff is a citizen and resident of the County of Florence, State of South Carolina.
2. The Plaintiff is informed and believes that Defendant **RONALD J. VERBRAEKEN** (hereinafter "**VERBRAEKEN**") is a citizen and resident of Stevensville, Ontario in the Country of Canada. Plaintiff is further informed and believes that **RONCAR TRANSPORTATION, INC.** is a Corporation in Stevensville, Ontario.
3. Venue is proper in Williamsburg County, State of South Carolina, as the Defendant is a non-resident of the State of South Carolina.
4. At all times, pertinent and relevant hereto, **VERBRAEKEN** is believed to be an agent, servant, and/or employee acting within the course and scope of his employment with **RONCAR TRANSPORTATION, INC.**

5. Plaintiff is informed and believes that at all pertinent times, **RONCAR TRANSPORTATION, INC.** owned a 2015 International Tractor that operated as a commercial motor vehicle under placard of the United States Department of Transportation; operating as a commercial carrier under the rules and regulations of the United States Department of Transportation, Office of the Federal Motor Carrier Safety Administration (FMCSA).

7. On January 29th, 2019, at approximately 07:46 a.m. in Richland County, the Plaintiff and **VERBRAEKEN** were both travelling on I-77 South. The Plaintiff stopped her vehicle and **VERBRAEKEN** crashed his tractor trailer in the rear of Plaintiff's vehicle.

8. The above set forth accident and the Plaintiff's resulting damages were proximately caused by the negligence, gross negligence, recklessness, carelessness, willful and wanton acts of the Defendants in the following particulars:

- A. In failing to maintain proper lookout;
- B. In following too close;
- C. In failing to maintain control over his vehicle;
- D. In failing to yield Right of Way;
- E. In failing to apply his brakes; if any he had, so as to avoid the collision;
- F. In driving his tractor trailer truck too fast for conditions;
- G. In steering his tractor trailer in a negligent and reckless manner;
- H. In failing to avoid the collision;
- I. In failing to ensure **VERBRAEKEN** had knowledge and skills necessary to control and maneuver and stop a tractor trailer rig safely on South Carolina highways prior to allowing him to drive;

J. In failing to use the degree of care and caution as would have been exercised by a reasonably prudent tractor trailer driver under the circumstances then and there prevailing; and

K. In such other particulars as may be determined through discovery procedures undertaken pursuant to the South Carolina Rules of Civil Procedure.

All of which negligence, gross negligence, recklessness, carelessness, and willful and wanton acts are attributable to **RONCAR TRANSPORTATION, INC.** and/or **RONALD J. VERBRAEKEN** by virtue of the doctrine of Respondeat Superior.

As a direct and proximate result of the negligence, recklessness, carelessness, willfulness, wantonness, and gross negligence of these Defendants, the Plaintiff suffered severe and painful injuries, including but not limited to neck pain and back pain; resultant medical expenses and treatment, past, present, and future; physical pain and suffering past, present and future; disability and loss of quality of life, past, present and future; and mental and emotional distress, past, present and future, for which the Plaintiff is entitled to an award of actual and punitive damages in an amount to be determined by the jury at the trial of this case.

WHEREFORE, the Plaintiff prays for judgment against the Defendants for actual and punitive damages in an amount to be determined by the jury at the trial of this case, for costs and disbursements of this action, and for such other and future relief as the Honorable Court may deem just and proper.

Kingstree, South Carolina
December 29, 2021

s/Charles David Barr, Esquire

Charles David Barr, Esquire, S.C. Bar No.: 543
Law Office of Charles David Barr
Attorney for the Plaintiff
319 West Main Street*P.O. Box 83
Kingstree, South Carolina 29556
Phone: (843) 355-8000 Fax: (843) 355-8003
Email: barrandbarr@ftc-i.net



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February 1, 2022

Ronald J. Verbraeken
14761 Sodom Road
Stevensville, Ontario L0S1S0

Re: Icee Deasia Brown v. Ronald J. Verbraeken and Roncar Transportation, Inc.
Case No.: 2021-CP-45-00457, DMV 22-46

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Sincerely,

A handwritten signature in blue ink, appearing to read 'Natasha Thomas', with a long, sweeping horizontal stroke extending to the right.

Natasha Thomas, Paralegal
Office of General Counsel

For: Director, South Carolina Department of Motor Vehicles

Enclosure

cc: Charles David Barr, Esquire
319 West Main Street
P.O. Box 83
Kingtree, SC 29556



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